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TRANSMITTAL **FORM**

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Total Number of Pages in This Submission

Application Number	10/715,150
Filing Date	November 17, 2003
First Named Inventor	Lilip Lau
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	PARCR 67359

	ENCLOSURES (check all that anni	(A)					
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Fee Transmittal Form	Drawing(s)	After Allowance communication to Technology Center (TC)					
Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences					
Amendment / Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply					
After Final	Petition to Convert a Provisional Application	Proprietary Information					
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter					
Extension of Time Request	Terminal Disclaimer	Other Enclosure(s) (please identify below):					
Express Abandonment Request	Request for Refund	Postcard 144 References					
Information Disclosure Statement	CD, Number of CD(s)						
Certified Copy of Priority Document(s)	Remarks						
Response to Missing Parts/ Incomplete Application	24201						
Response to Missing Parts under 37 CFR 1.52 or 1.53							
SIGNATUR	RE OF APPLICANT, ATTORNEY, OR AGEN	IT					
Firm FULWIDER PATTON LEE & UTECHT, LLP							
Individual name							
Signature John Nagy							
Date July 6, 2004							

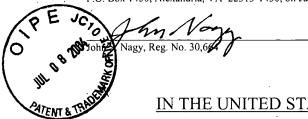
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

: 10/715,150

Applicants

: Lilip Lau, Joshua Wallin

Filed

: November 17, 2003

Art Unit

Unassigned

Examiner

Unassigned

Title

CARDIAC HARNESS DELIVERY DEVICE AND METHOD

Docket No.:

PARCR 67359

Customer No.

24201

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO/SB/08A have come to the attention of Applicants and are submitted to the Office under 37 C.F.R. § 1.97. A copy of each of the listed foreign documents and articles is enclosed.

Applicants believe that this Information Disclosure Statement has been filed before the mailing date of a first Office action on the merits in accordance with 37 C.F.R. § 1.97(b)(3) and therefore, no fee is due. However, if a fee is in fact due the

Commissioner is authorized to charge our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By

John & Nagy

Registration No. 30,664

JSN:jeb

Howard Hughes Center 6060 Center Drive, Tenth Floor Los Angeles, CA 90045 Telephone: (310) 824-5555

Facsimile: (310) 824-9696

Customer No. 24201

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
of | 14

Complete if Known					
Application Number	10/715,150				
Filing Date	November 17, 2003				
First Named Inventor	Lilip Lau				
Art Unit	Unassigned				
Examiner Name	Unassigned				
Attorney Docket Number	PARCR 67359				

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No ¹	Docun Number	nent Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		2,826,193		03/11/58	Vineberg		
		3,464,322		09/02/69	Pequignot		
		3,513,836		05/26/70	Sausse		
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Examiner	Cite		Foreign Patent Docur	nent	Publication Date	Name of Patentee or	Pages, Columns, Lines		
Initials*	No	Office ³	Number ⁴	Kind ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T	
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		JP	1-271829		10/30/89	Kogyo		T -	
		EPO	0 370 931 A1		05/30/90	Perrotin			

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Signature	`	Considered	

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Substitute 1	for form	1449A/PT0)			Application Nu	umber		10/715,150		
				~		Filing Date			November 17, 2003		
INFORMATION DISCLOSURE						First Named In	wento		Lilip Lau		
STATEMENT BY APPLICANT							IVEIILO	<u> </u>	Unassigned		
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Sheet 2	?		of 14			Attorney Dock	et Nu	mber	PARCR 67359)	
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	<u> </u>		Document Number					Name o	of Patentee or	Pages, Columns, Lines, V	Vhere
Examiner Initials*	Cite No	Number	K	Kind Code ²		Publication Date MM-DD-YYYY	- 1		ant of Cited	Relevant Passages or Rel	evant
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		4,630,597				23/86			tz et al.		
	ļ <u>.</u>	4,665,906				19/87	-	ervis			
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	i	4,957,477	7		09/			Lundbäck			
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		4,976,730				11/90 Kwan-Gett		tt			
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		5,067,957						Jervis			
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Examiner	Cite		Foreign Patent Docum	ment		Publication Date	Non	ne of Dote	ntee or Applicant	Pages, Columns, Lines Where Relevant	
Initials*	No	Office ³	Number ⁴	Kind ⁵ (if known)		MM-DD-YYYY	Ivaii		Document	Passages or Relevant Figures Appear	T ₆
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		PCT	WO 91/19465			12/26/91	Frat	ter			
		SU	1734767 A1			05/23/92		ov et al.			
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		PCT	WO 95/06447	<u> </u>		03/09/95	+		Associates		
		PCT	WO 96/04852			02/22/96	+	thrup		ļ	<u> </u>
	ļ	DE	295 17 393 U1	 		03/14/96		nmann et			
		EP	0 583 012 B1		(07/10/96	Hei	lman et a	1.	l	<u>L</u>
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		Complete if Known			
Substitute for form 144	Substitute for form 1449A/PTO		10/715,150		
INFORM	ATION DISCLOSURE	Filing Date	November 17, 2003		
		First Named Inventor	Lilip Lau		
STATEM	ENT BY APPLICANT	Art Unit	Unassigned		
(use as many sheets as necessary)		Examiner Name	Unassigned		
Sheet 3	of 14	Attorney Docket Number	PARCR 67359		

	U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No ¹	Number Docum	ent Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear				
		5,098,369		03/24/92	Heilman et al.					
		5,106,386		04/21/92	Isner et al.					
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		5,150,706		09/29/92	Cox et al.					
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		5,186,711		02/16/93	Epstein					
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		5,290,217		03/01/94	Campos					
		5,336,254		08/09/94	Brennen et al.					
		5,344,442		09/06/94	Deac					
		5,352,184		10/04/94	Goldberg et al.					
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		5,366,460		11/22/94	Eberbach					
		5,383,840		01/24/95	Heilman et al.					
-		5,385,156		01/31/95	Oliva					
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Examiner	Cite		Foreign Patent Docum	nent	Publication Date	Name of Patentee or	Pages, Columns, Lines	T ₆		
Initials*	No	Office ³	Number⁴	Kind ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	I a		
		PCT	WO 96/40356		12/19/96	EP Technologies, Inc.				
		PCT	WO 97/20505		06/12/97	Loma Linda University				
		PCT	WO 97/24101		07/10/97	Melvin				
		EP	0 791 330 A3		08/27/97	Cardiothoracic Systems				
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		PCT	WO 98/29041		07/09/98	Myocor, Inc.				
		PCT	WO 99/11201		03/11/99	Endocore, Inc.				

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Signature	Considered	

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Substitute for form 1449A/PTO	Application Number	10/715,150	
INFORMATION DISCLOSURE	Filing Date	November 17, 2003	
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau	
STATEMENT BY APPLICANT	Art Unit	Unassigned	
(use as many sheets as necessary)	Examiner Name	Unassigned	
Sheet 4 of 14	Attorney Docket Number	PARCR 67359	

			U.S	. PATENT DOCUMEN	NTS	
Examiner Initials*	Cite No ¹	Docume Number	Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		5,429,584		07/04/95	Chiu	
		5,460,962		10/24/95	Kemp	
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Examiner	Cite	Foreign Patent Document		Publication Date	Name of Patentee or	Pages, Columns, Lines	T6	
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		EP	0 919 193 A1		06/02/99	Ethicon Endo-Surgery		
		PCT	WO 99/30647		06/24/99	Myocor, Inc.		
		PCT	WO 99/44534		09/10/99	Melvin		
		PCT	WO 99/44680		09/10/99	Abiomed, Inc.		
		PCT	WO 99/53977		10/28/00	SciMed Life Systems		
		PCT	WO 99/56655		11/11/99	Correstore, Inc.		
		PCT	WO 00/02500		01/20/00	Acom Cardiovascular		
		PCT	WO 00/06026		02/10/00	Myocor, Inc.		
Examine	r	<u> </u>		1		Date		

Signature 48521.1

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Complete if Known Substitute for form 1449A/PTO 10/715,150 Application Number November 17, 2003 Filing Date INFORMATION DISCLOSURE Lilip Lau First Named Inventor STATEMENT BY APPLICANT Art Unit Unassigned Unassigned **Examiner Name** (use as many sheets as necessary) PARCR 67359 of 14 Sheet - 5 Attorney Docket Number

F	Cita	Docume	nt Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Examiner Initials*	Cite No ¹	Number	Kind Code ² (if known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		5,713,954		02/03/98	Rosenberg et al.	
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		5,749,839		05/12/98	Kovacs	
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		5,961,440		10/05/99	Schweich, Jr. et al.	
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,		5,990,378		11/23/99	Ellis	

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Examiner	Cite	Cite Foreign Patent Document			Publication Date	Name of Patentee or	Pages, Columns, Lines	Té
Initials*	No	Office ³	Number ⁴	Kind ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	<u>'</u>
		PCT	WO 00/06028		02/10/00	Mortier, et al.	_	
		PCT	WO 00/13722		03/16/00	SciMed Life Systems		
		PCT	WO 00/16700		03/30/00	Myocor, Inc.		
		PCT	WO 00/18320		04/06/00	Univ. of Cincinnati		
		PCT	WO 00/28912		05/25/00	Acorn Cardiovascular		
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Examiner	Date	
Signature	Considered	

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STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau
STATEMENT BY APPLICANT	Art Unit	Unassigned
(use as many sheets as necessary)	Examiner Name	Unassigned
Sheet 6 of 14	Attorney Docket Number	PARCR 67359

			U.S.	. PATENT DOCUMEN	NTS	
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		6,007,486		12/28/99	Hunt et al.	
		6,015,378		01/18/00	Borst et al.	
		6,024,096		02/15/00	Buckberg	
		6,045,497		04/04/00	Schweich, Jr. et al.	
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		6,079,414		06/27/00	Roth	
		6,085,754		07/11/00	Alferness et al.	
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		6,110,100		08/29/00	Talpade	
		6,117,159		09/12/00	Huebsch et al.	
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Initials* No	Office ³	Number ⁴	Kind ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	1 -	
		PCT	WO 00/62727		10/26/00	Hearten Medical		
		PCT	WO 00/74769		12/14/00	Johns Hopkins Univ.		
		PCT	WO 01/17437		03/15/01	Cardiothoracic Systems		
		PCT	WO 01/21098		03/29/01	Acorn Cardiovascular		
		PCT	WO 01/50981		07/19/01	Acorn Cardiovascular		
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		PCT	WO 01/85061		11/15/01	Acorn Cardiovascular		
		PCT	WO 01/91667		12/06/01	Cardioclasp, Inc.		
		PCT	WO 01/95830		12/20/01	Acorn Cardiovascular		

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Signature	Considered	

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	C	omplete if Known
Substitute for form 1449A/PTO	Application Number	10/715,150
INFORMATION DISCLOSURE	Filing Date	November 17, 2003
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau
STATEMENT DY APPLICANT	Art Unit	Unassigned
(use as many sheets as necessary)	Examiner Name	Unassigned
Sheet 7 of 14	Attorney Docket Number	PARCR 67359

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		PCT	WO 01/95832		12/20/01	Acorn Cardiovascular		
		PCT	WO 02/13726		02/21/02	Acorn Cardiovascular		
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		PCT	WO 02/059007		08/01/02	SnapWare Corp.		
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		PCT	WO 03/026485		04/03/03	The Foundry, Inc.		
		PCT	WO 03/026484		04/03/03	The Foundry, Inc.		

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Initials*	No ¹	Office ³	Number⁴	Kind ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	1	
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l,	NEODALIMAN		COLOCUEDE	Application Number	10/715,150
	NFORMATION			Filing Date	November 17, 2003
5	STATEMENT B	$\mathbf{Y} \mathbf{A}$	APPLICANT	First Named Inventor	Lilip Lau
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Sheet	10	of	14	Attorney Docket Number	PARCR 67359

		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book,	
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			C	omplete if Known
Substitu	Substitute for form 1449B/PTO		Application Number	10/715,150
Т	NEODMATION	DISCI OSLIDE	Filing Date	November 17, 2003
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT		First Named Inventor	Lilip Lau
3			Group Art Unit	Unassigned
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Sheet	11	of 14	Attorney Docket Number	PARCR 67359

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Complete if Known Substitute for form 1449B/PTO 10/715,150 Application Number November 17, 2003 Filing Date INFORMATION DISCLOSURE Lilip Lau First Named Inventor STATEMENT BY APPLICANT Group Art Unit Unassigned Unassigned Examiner Name (use as many sheets as necessary) Sheet 12 of 14 PARCR 67359 Attorney Docket Number OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, Examiner Cite T^2 magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or Initials* country where published. Power, J.M., et al., Passive Ventricular Constraint Amends the Course of Heart Failure: A Study in an Ovine Model of Dilated Cardiomyopathy, Cardiovascular Research, Vol. 44, pp. 549-555, 1999 Frazier, O.H., M.D., et al., Left Ventricular Assist System as a Bridge to Myocardial Recovery, Annals of Thoracic Surgery, Vol. 68, pp. 734-741, 1999 Melvin, David B., Ventricular Radium Reduction Without Resection: A Computational Analysis, ASAIO Journal, pp. 160-165, 1999 ABSTRACTS - Heart Failure, JACC February 1999 Raman, Jai S., FRACS, et al., Ventricular Containment as an Adjunctive Procedure in Ischemic Cardiomyopathy: Early Results, Annals of Thoracic Surgery, Vol. 70, pp. 1124-1126, January 2000 McCarthy, Patrick M., et al., Device Based Left Ventricular Shape Change Immediately Reduces Left Ventricular Volume and Increases Ejection Fraction in a Pacing Induced Cardiomyopathy Model in Dogs, JACC, Feb. 2000 Chaudhry, Pervaiz A., M.D., et al., Passive Epicardial Containment Prevents Ventricular Remodeling in Heart Failure, Annals of Thoracic Surgeons, Vol. 70, pp. 1275-1280, 2000 Acorn Cardiovascular, Inc., CSD Specifications Acorn Cardiac Support Device, 2000 Heart "jacket" could help stop heart failure progression, Clinicia, No. 916, July 2000 Acorn Cardiovascular, Inc., CorCap™ Cardiac Support Device Pamphlet, June 2001 Medtronic's InSync Cardiac Resynchronization Therapy Device Approved by FDA, (Press Release) August 28, 2001 Acorn Cardiovascular, Inc., Acorn Highlights: ESC, Schedule, September 2001 Oz, Mehmet C., M.D., Passive Ventricular Constraint for the Treatment of Congestive Heart Failure, Annals of Thoracic Surgery, Vol. 71, pp. 5185-5187, 2001 Abstract Supplement, European Heart Journal, Vol. 22, September 2001 Gorman, J., Self-Sutures: New Material Knots Up On Its Own, Science News, Vol. 161, p. 262, April 27, 2002 Mann, Douglas L., M.D., Basic Mechanisms of Remodeling and Reverse Remodeling, presented at 6th Annual Scientific Meeting of the Heart Failure Society of America, September 24, 2002 Bocchi, Edimar a., M.D., Arrhythmias and Sudden Death After Dynamic Cardiomyoplasty, Circulation, Vol. 90, No. 5, Part 2, pp. II-107 thru II-111, November 1994 Chachques, Juan C., M.D., Study of Muscular and Ventricular Function in Dynamic Cardiomyoplasty: A Ten-Year Follow-Up, The Journal of Heart and Lung Transplantation, Vol. 16, No. 8, pp. 854-868, August 1997 Dullum, Mercedes K.C., M.D., et al., Less Invasive Surgical Management of Heart Failure by Cardiac Support Device Implantation on the Beating Heart, The Heart Surgery Forum, #2001-1818, pp. 361-363, January 4-7, 2001 Macris, Michael P. M.D., et al., Minimally Invasive Access of the Normal Preicardium: Initial Clinical Experience with a Novel Device, Clinical Cardiology, Vol. 22 (Suppl. 1), pp. I-36 thru I-39, 1999 Thakur, Ranjan K., M.D., et al., Latissimus Dorsi Dynamic Cardiomyoplasty: Role of Combined ICD Implantation, Journal of Cardiac Surgery, Vol. 10, pp. 295-297, 1995

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Sheet	13	of	14	Attorney Docket Number	PARCR 67359	

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<u>–</u>		Application for U.S. Letters Patent Serial No. 09/634,043 filed August 8, 2000						
		Application for U.S. Letters Patent Serial No. 09/952,145 filed September 10, 2001						
		Application for U.S. Letters Patent Serial No. 10/242,016 filed September 10, 2002						
		Application for U.S. Letters Patent Serial No. 10/287,723 filed October 31, 2002						
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		Application for U.S. Letters Patent Serial No. 10/705,989 filed November 12, 2003						
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		Application for U.S. Letters Patent Serial No. 10/715,150 filed November 17, 2003						
		Application for U.S. Letters Patent Serial No. 10/754,174 filed January 9, 2004						
·		Application for U.S. Letters Patent Serial No. 10/754,264 filed January 9, 2004						
	-	Application for U.S. Letters Patent Serial No. 10/754,852 filed January 9, 2004						
		Provisional Patent Application Serial No. 60/535,888 filed January 12, 2004						

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	Complete if Known		
Substitute for form 1449B/PTO	Application Number	10/715,150	
INFORMATION DISCLOSURE	Filing Date	November 17, 2003	
■ ·	First Named Inventor	Lilip Lau	
STATEMENT BY APPLICANT	Group Art Unit	Unassigned	
(use as many sheets as necessary)	Examiner Name	Unassigned	
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		Application for U.S. Letters Patent Serial No. 10/777,451 filed February 12, 2004				
		Application for U.S. Letters Patent Serial No. 10/788,791 filed February 27, 2004				
		Application for U.S. Letters Patent Serial No. 10/704,376 filed March 3, 2004				
		Application for U.S. Letters Patent Serial No. 10/705,574 filed March 5, 2004				
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